

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
(SOUTHERN) DIVISION

IN RE:
Aliyyah Michelle Wells
Debtor(s)

CASE NO. 23-45928-MAR
CHAPTER 7

JUDGE Mark A. Randon

**ORDER GRANTING CAPITAL ONE AUTO FINANCE, A DIVISION OF CAPITAL ONE,
N.A.'S RELIEF FROM THE AUTOMATIC STAY
AND ENTRY OF ORDER WAIVING FRBP 4001(A)(3)**

This matter came before the Court upon the Motion for Relief from the Automatic Stay ("Motion", ECF No. 18) filed by Capital One Auto Finance, a division of Capital One, N.A. ("Creditor") with respect to its interest in a 2015 Ford Escape Utility 4D SE EcoBoost 4WD 1.6L I4 Turbo VIN# 1FMCU9GX7FUC02646 ("Vehicle"). Required parties were served with the Motion and with the notice of the objections thereto. No objection was timely filed, and a certification of no response has been filed. The Court has reviewed the Motion and other pertinent pleadings and is advised in the premises.

IT IS HEREBY ORDERED that the automatic stay currently in effect as to Capital One Auto Finance, a division of Capital One, N.A. relative to its security interest in the 2015 Ford Escape Utility 4D SE EcoBoost 4WD 1.6L I4 Turbo VIN# 1FMCU9GX7FUC02646 is hereby lifted allowing Creditor to pursue its State law remedies.

IS FURTHER ORDERED that the Creditor shall turn over any funds received from the sale of said secured property which exceeds the balance, plus interest, costs of sale and attorney fees, to the Trustee appointed to the estate.

IT IS FURTHER ORDERED that this Order is effective immediately upon entry by this Court notwithstanding the provision of FRBP 4001(a)(3). This Order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Bankruptcy Code.

Signed on August 9, 2023



/s/ Mark A. Randon

Mark A. Randon
United States Bankruptcy Judge